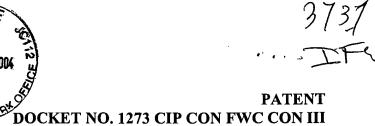
Appl. No. 10/037,977

Amdt. Dated: October 28, 2004

Reply to Office Action of October 1, 2004



(203-589 CIP CON FWC CON III)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

David Nicholas, et al.

EXAMINER: Sarah K Webb

SERIAL NO.:

10/037,977

ART UNIT: 3731

FILED:

November 9, 2001

DATED:

October 28, 2004

FOR:

ARTICULATING ENDOSCOPIC SURGICAL APPARATUS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Mail Stop Amendment

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Notice of Non-Compliant Amendment dated October 1, 2004, submitted herewith is the corrected AMENDMENTS TO THE CLAIMS section.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 28, 2004.

Dated: October 28 2004

Christopher G. Trainor